

PROB 12B
(7/93)

Report Date: July 21, 2010
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

JUL 28 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Shawn Montgomery Harp Case Number: 2:07CR00100-001
Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge
Date of Original Sentence: 7/24/2008 Type of Supervision: Supervised Release
Original Offense: Passing Counterfeit Currency, 18 Date Supervision Commenced: 07/24/08
U.S.C. § 472
Original Sentence: Prison - 204 Days; TSR - 36 Date Supervision Expires: 07/23/11
Months

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 The defendant shall participate pursuant to public law, in a community corrections center, Port of Hope, Coeur d'Alene, Idaho, for a period for up to 120 days, to include prerelease component, day reporting and home confinement at the discretion of the Community Corrections manager and U.S. probation officer. The defendant shall observe the rules of the program and understands that removal from the program may occur for the violations of Bureau of Prisons rules, program rules or the terms of supervised release. The defendant is responsible for all medical and dental expenses that may be incurred during participation in the program.

CAUSE

On July 20, 2010, this office received a request for a modification to Mr. Harp's conditions of supervision from U.S. Probation Officer (USPO), Robert L. Urbaniak in the District of Idaho. USPO Urbaniak has been supervising the offender since March 18, 2010.

Mr. Harp admitted to using methamphetamine on June 25, 2010, and July 2, 2010. The offender informed USPO Urbaniak that his illegal drug usage explained his failure to report for drug testing during that time frame.

On July 12, 2010, a modification of conditions was discussed with Shawn Harp by USPO Urbaniak. The offender agreed to participate in the Port of Hope, Residential Reentry Center (RRC), program for up to 120 days. Mr. Harp signed the waiver of hearing to modify conditions of his supervision on July 12, 2010, to include placement at the RRC for up to 120 days.

Please find attached the violation report letter dated July 12, 2010, and the Waiver of Hearing to Modify Conditions of Supervised release signed by USPO Urbaniak and Mr. Harp.

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In addition, USPO Urbaniak is supportive of jurisdiction in this case being transferred to the District of Idaho. This officer believes this is appropriate since the offender has significant ties to the Coeur d'Alene, Idaho area. As a result, if the Court concurs with this action, this officer has attached the appropriate paperwork to facilitate the transfer of jurisdiction.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/21/2010

s/Brenda Kuest

Brenda Kuest
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

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Date

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Petition to Modify Supervised Release Continued

July 12, 2010

UNITED STATES DISTRICT COURT

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

U. S. vs. Shawn Harp

Dkt. No. 2:074CR00100-001

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation or Supervised Release or to the proposed extension of my term of supervision:

That the defendant shall participate pursuant to public law, in a community corrections center, Port of Hope, Coeur d'Alene, Idaho, for a period for up to 120 days, to include prerelease component, day reporting and home confinement at the discretion of the Community Corrections Manager and U.S. Probation Officer. The defendant shall observe the rules of the program and understands that removal from the program may occur for violations of Bureau of Prisons rules, program rules or the terms of supervised release. The defendant is responsible for all medical and dental expenses that may be incurred during participation in the program.

Witness:


U.S. Probation Officer

Signed:


Probationer or Supervised Releasee

7-12-10

Date